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Attorney Docket No. 16004US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Sergey A. Kryloff et al

Serial No. 09/940,771

Filed: August 27, 2001

For: SOFTWARE PATCH GENERATOR

Examiner: Mary J. Steelman

Group Art Unit: 2122

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

*January 5, 2005*

*Joseph M. Barich*  
Joseph M. Barich  
Reg. No. 42,291

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- \* A completed PTO form 1449 (modified) which has one (1) page.
- \* A copy of each printed or patented reference listed in the enclosed form 1449 and not previously provided to or by the PTO in this application. Six (6) references are enclosed.
- \* A copy of the European Search Report for the European application, No. 02255949.6 corresponding to the parent of the above application.

## **FEE DETERMINATION**

\* No fee is believed to be due because:

\* In accordance with 37 CFR §1.97(e), each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this statement.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

\* No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REQUEST FOR CONSIDERATION**

\* This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

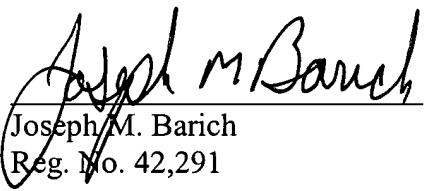
\* This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

\* The Examiner is requested to initial both copies of the enclosed PTO-1449 (modified) and return one copy to the applicants to indicate consideration of the enclosed references.

Respectfully submitted,

Date:

January 5, 2005

  
Joseph M. Barich  
Reg. No. 42,291

McAndrews, Held & Malloy  
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

## Complete if Known

Application Number	09/940,771
Filing Date	8/27/2001
First Named Inventor	Kryloff
Group Art Unit	2122
Examiner Name	Mary J. Steelman
Attorney Docket Number	16004US01

## U.S. PATENT DOCUMENTS

Examiner Initial*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A1	US 5,832,520 A			Miller	
A2	US 6,018,747 A			Burns et al	
A3	US 6,083,279 A			Phipps et al	
A4					
A5					
A6					
A7					
A8					
A9					
A10					
A11					
A12					

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
A13	WO 99/49391 A			Symantec Corp.		
A14						
A15						
A16						
A17						

## OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
A18	RANDAL C. BURNS, "Differential Compression: A Generalized Solution for Binary Files", Thesis, December 1996 XP002211282, pages7-24	
A19	REICHENBERGER C. , "Delta Storage for Arbitrary Non-Text Files" 1991, New York, NY, USA, ACM, USA, 1991, pages 144-152, XP008030925 ISBN: 0-89791-429-5	
A20		
A21		

EXAMINER SIGNATURE	DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1800-786-9199) and select option 2.